

REMARKS

Claims 1-27 are pending in the Application. Claims 28-50 are cancelled herein. New Claim 51 is added herein. New Claim 51 is fully supported by the specification in general and specifically by the specification at paragraphs: [0056], [0057], [0058], and [0059] as well as by Table 9A, Table 10A, and Table 11.

The cancellation of Claims 28-50 should not be construed as an abandonment of the subject matter of these claims. Applicants reserve the right to file one or more divisional applications to the subject matter covered by the cancelled claims.

In the Action dated March 4, 2008, Examiner requires restriction between the following groups of claims:

Group I: Claims 1-27 drawn to a microemulsion;

Group II: Claims 28-37 drawn to a method of making a microemulsion;

Group III: Claims 38-42 drawn to a post-emergent herbicide;

Group IV43-45 and 48 and 50 drawn to a method of applying a post-emergent herbicide; and

Group V: Claims 46 -47 and 49 drawn to a method of applying an insecticide or fungicide.

In response, Applicants hereby elect the claims of Group I without traverse.

Examiner requires that Applicants elect a single species to which the claims will be restricted if no generic claim is finally held allowable. Applicants hereby elect the species covered by new Claim 51.

New Claim 51 reads as follows:

The microemulsion of claim 1 wherein said oil component is methyl oleate; wherein said polar solvent is selected from monoethanolamine and propylene glycol and combinations thereof; wherein said amphiphilic material is selected from N, N-(dihydroxyethyl) oleylamine (Ethameen® S/12) and polyoxyethylene (2) oleyl ether (Brij® 93) and combinations thereof; and wherein said solubilized polar compound is N-(phosphonomethyl) glycine. [emphasis added]

The following Table lists the claims readable on the elected species.

Claims Readable on Elected Species	Claims Readable on Elected Species
1	19
2	20
4	21
7	22
8	24
9	27
12	
17	
18	

The time for response to Examiner's Action dated March 4, 2008 was set at thirty (30) days from 03/04/2008. Accompanying this Response is a Petition for Extension of Time along with the required fee.

CONCLUSION

In light of the amendments and remarks made herein, it is respectfully submitted that the claims are in condition for examination. Applicants encourage Examiner to contact their representative, Patricia A. Coburn at (614) 766-9136 or pcoburn@columbus.rr.com if Examiner has any questions regarding this Response.

Respectfully Submitted,

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